



July 13, 2011

Indiana State Board of Animal Health  
4154 North Keystone Ave.  
Indianapolis, IN 46205

RE: LSA Document #11-88; Livestock and Poultry Care Proposed Rule

On behalf of the members of Indiana Farm Bureau, Inc. (IFB), we wish to thank the Board for the opportunity to comment upon the proposed rule for livestock and poultry care. IFB is the largest general farm organization in Indiana, representing nearly 80,000 members who earn their livelihood through agricultural pursuits. A significant number of these individuals raise livestock and poultry.

IFB policy, which is adopted through a grassroots policy process, is robust on the animal care issue. Our policy states:

“We support properly researched and industry tested poultry and livestock practices that provide consumers with a wholesome food supply....

We recommend state regulations or guidelines be developed for the taking of abused or neglected livestock animals.

We support the proper treatment of animals. We oppose laws or regulations elevating the well being of animals to a similar status as that of people. We oppose initiatives, referral, or legislation that creates standards above sound veterinary science and best management standards.” *Indiana Farm Bureau, Inc. policy, Animal Care, §208.01.*

Based upon this policy, we support the adoption of the proposed regulation for livestock and poultry care. As written, the regulation provides the flexibility for those responsible for the care of livestock and poultry to raise their herds and flocks in the manner that best fits their operation. Specifically, farmers will be able to base their management decisions on updated scientific research while also balancing the economic and market factors which ultimately drive profitability and the ability to continue the farming operation.

We recognize that there have been efforts in some states to mandate through legislation or regulation that certain animal husbandry practices must be met, such as cage size or prohibiting certain management practices. While such standards may provide certainty, they do not provide the needed flexibility to quickly adapt as scientific research into animal welfare continues to provide more detailed information on how best to care for livestock and poultry. More importantly, rigid standards do not account for the differences in production practices or the ability of farmers to tweak their system in a manner that is best for the care of their livestock or poultry.

While we do not believe that rigid standards are needed, and thus stringently support the use of “guidelines” for this regulation, we also believe that it is incumbent upon BOAH to provide

farmers with the information they need to make decisions to assist them in meeting the guidelines. Based upon our experience, farmers already understand the core principles of providing food and water, shelter, medical care, and environmental protection to maintain the specific animal, as well as employing handling and transportation methods that do not cause injury to the animal. However, there may be differences in opinion about what conditions meet those core principles. While we believe those differences will be few and minor, there is a concern that farmers, veterinarians and members of the public may not always agree on how to meet the standards. In those cases, BOAH must establish a mechanism by which legitimate standards are reviewed and relied upon to determine whether the guidelines for production have been met.

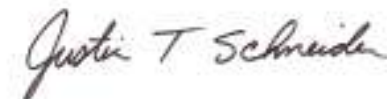
Some of the dialogue on proper care will occur between the farmer and their individual veterinarian. Nonetheless, it is likely that BOAH will be called upon to intervene in some situations. BOAH already fills that role in many instances, and this rule bolsters the ability of BOAH to provide opinions on animal care. More importantly, the recognition of the General Assembly of this power shows the high esteem that BOAH enjoys in this regard.

Given the ability of the BOAH staff and the role of the agency as regulator, we urge BOAH to take proactive steps to ensure that the provisions of this rule are met. We suggest that outreach is undertaken to provide farmers with access to current accurate scientific studies related to animal care. We also believe strongly that BOAH should use all of its civil authority to intervene in cases where animal care concerns exist and to work with the farmer to ensure that animals are receiving adequate food, shelter, and medical care in an environment that is conducive to their good health. If necessary, BOAH should consider the option of utilizing civil penalties to achieve compliance. And while we hope that it is never needed, BOAH does maintain the ability to refer for criminal prosecution where there are actual occurrences of animal cruelty.

It is our opinion that there will be few instances of actual failure upon farmers to maintain the levels of care needed to protect the life and welfare of an animal. Nonetheless, we believe that this regulation is important to assuring that the proper care of livestock and poultry is handled in a transparent manner. More importantly, it is critical that the arbiter of animal care issues has the capacity based upon education and experience to make those decisions. Thus, we appreciate the opportunity for farmers to continue to make decisions on their farm that best fits the needs of their livestock and poultry while knowing that BOAH has the capacity to correct any shortfalls which may occur.

On behalf of our members, we once again wish to thank BOAH for its promulgation of this rule and urge that it is adopted. Questions with respect to these comments may be submitted to the undersigned at [jschneider@infarmbureau.org](mailto:jschneider@infarmbureau.org).

Sincerely,



Justin T. Schneider  
Staff Attorney